

1 **10A NCAC 27I .0606 is proposed for adoption as follows:**

2 **10A NCAC 27I .0606 HEARING SCHEDULE AND COMPOSITION OF THE PANEL**

3 (a) The Director shall convene a five member panel to conduct a hearing for an appeal that is accepted in
4 accordance with the requirements of Rule .0604 of this Section.

5 (b) The panel members shall consist of the following:

6 (1) a provider agency representative who meets the following requirements:

7 (A) the representative shall be from a provider agency that is not be a party to the appeal; and

8 (B) the representative shall have clinical expertise in the disability area pertinent to the appeal.

9 (2) an employee of an area authority or county program who meets the following requirements:

10 (A) the employee shall be from an area authority or county program that is not a party to the
11 appeal; and

12 (B) the employee shall have clinical expertise in the disability area pertinent to the appeal.

13 (3) two individuals who are members of a consumer and family advisory committee who is not a party to
14 the appeal; and

15 (4) an employee of the Division.

16 (c) The employee of the Division shall serve as the chairperson of the panel and shall be a voting member in the
17 case of a tie.

18 (d) The Director shall forward the record on appeal and all supplemental documentation to the chairperson of the
19 panel within 5 days of receipt thereof.

20 (e) The Director shall provide a copy of applicable law, policy, and procedures to the chairperson of the panel.

21 (f) The chairperson shall schedule a panel hearing including designation of a time and place.

22 (g) The chairperson shall notify the client, other panel members and the area authority or county program of the
23 time and place no less than 15 calendar days prior to the date of the hearing.

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25 *Authority G.S. 143B-147;*
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